

SUMMARY SHEET
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

October 13, 2016

() ACTION/DECISION

(X) INFORMATION

I. TITLE: Health Regulation Administrative and Consent Orders.

II. SUBJECT: Health Regulation Administrative Orders, Consent Orders, and Emergency Suspension Orders for the period of August 1, 2016, through August 31, 2016.

III. FACTS: For the period of August 1, 2016, through August 31, 2016, Health Regulation reports four (4) Emergency Suspension Orders, and two (2) Consent Orders with a total of four thousand two hundred dollars (\$4,200) in assessed monetary penalties.

Health Regulation Bureau	Health Care Facility, Provider or Equipment	Administrative Orders	Consent Orders	Emergency Suspension Orders	Assessed Penalties
Health Facilities Licensing	Community Residential Care Facilities	0	1	0	\$4,200
EMS & Trauma	Athletic Trainers	0	1	0	\$0
	Paramedics	0	0	2	\$0
	EMTs	0	0	2	\$0
TOTAL		0	2	4	\$4,200

Approved By:

Shelly Bezanson Kelly
Director of Health Regulation

HEALTH REGULATION ENFORCEMENT REPORT
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

October 13, 2016

Bureau of Health Facilities Licensing

Facility Type	Total # of Beds or Participants	Total # of Licensed Facilities in South Carolina
Community Residential Care Facilities	17,159	458

1. Savannah Place (CRCF) – Charleston, SC

Investigation: On May 25, 2016, a Department representative visited Savannah Place to conduct a complaint investigation.

Violations: In conducting the complaint investigation, the Department found four (4) violations of Regulation 61-84. Specifically, Savannah Place was cited one (1) time for violating Section 703.B.1, by failing to ensure that a resident's individual care plan properly described the needs of the resident, including the activities of daily living for which the resident required assistance; one (1) time for violating Section 801.D.1, by retaining a resident with socially inappropriate behaviors which could not be controlled or improved by the facility; one (1) time for violating Section 901.C, by failing to take precautions for a resident with Alzheimer's/Dementia; and one (1) time for violating Section 1601, by failing to ensure that all equipment and building components were maintained in operating condition.

Enforcement Action: By Consent Order executed August 4, 2016, the Department assessed a four thousand two hundred dollar (\$4,200) monetary penalty against Savannah Place. Savannah Place is required to make payment of the assessed monetary penalty within thirty (30) days of execution of the Consent Order. Additionally, the terms of the Consent Order require Savannah Place to initiate action to correct the violations that initiated this enforcement action and to ensure that all violations of Regulation 61-84 are not repeated. Moreover, Savannah Place is required to schedule and attend a compliance assistance meeting with Department representatives within forty-five (45) days of execution of the Consent Order.

Prior Sanctions: None.

Bureau of EMS & Trauma

EMS Provider Type	Total # of Providers in South Carolina
EMT	5,118
EMT – Intermediate	448
Advanced EMT	304

Paramedic	3,616
Athletic Trainers	875
Ambulance Services Provider	258
First Responder Services Provider	2

2. Leonard Raymond King (Athletic Trainer)

Investigation: The Department was notified on December 15, 2015, of an alleged incident involving the treatment of a student athlete by Mr. King following a high school sporting event on December 8, 2015. The Department initiated an investigation into this matter.

Violations: Mr. King was the holder of S.C. Athletic Trainer Certificate No. SC029748, issued by the Department, which expired July 16, 2015. On December 8, 2015, during which time Mr. King's Athletic Trainer Certificate was expired, Mr. King held himself out as an athletic trainer and performed the activities of an athletic trainer for compensation, in violation of S.C. Code Section 44-75-40(a). Moreover, Mr. King committed misconduct, as described in Regulation 61-96, Section K(1)(c), by violating the Athletic Trainers' Act of South Carolina and Regulation 61-96, by continuing to work as an athletic trainer with an expired certificate.

Enforcement Action: The parties met and were able to resolve this matter pursuant to a Consent Order executed August 9, 2016. Pursuant to the terms of the Consent Order, Mr. King agreed to withdraw his February 2016 application for certification as an athletic trainer, and further agreed to not apply for certification as an athletic trainer for a period of ninety (90) days following execution of the Consent Order. Finally, Mr. King agreed to cease performing any athletic training services unless and until he receives an athletic trainer certificate from the Department in accordance with the terms of the Consent Order and applicable law.

Prior Sanctions: None.

3. Billy Ray Close (Paramedic)

Investigation: On May 18, 2016, the Department was notified of Mr. Close's arrest in Spartanburg County. Upon notification, the Department initiated an investigation into the matter. The Department discovered that Mr. Close was arrested on May 18, 2016, and charged with criminal sexual conduct with a minor in the first degree.

Violations: The charge against Mr. Close, specifically criminal sexual conduct with a minor in the first degree, is a felony and a crime involving moral turpitude or gross immorality. Mr. Close's alleged conduct is in violation of the EMS Act and Regulation 61-7. The Department found that Mr. Close's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department further determined that a clear and present danger would exist to the public health, safety, and welfare if Mr. Close's Paramedic certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Close's Paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed July 28, 2016. The Department will continue to monitor the investigation.

Prior Sanctions: None.

4. Bobby Earl Day, III (EMT)

Investigation: On June 24, 2016, the Department was notified of an update to Mr. Day's criminal background history. Upon notification, the Department initiated an investigation into this matter. The Department discovered that Mr. Day was arrested in Saluda County on June 17, 2016, and charged with one (1) count of criminal domestic violence of a high and aggravated nature, and three (3) counts of unlawful conduct toward a child.

Violations: The charges against Mr. Day, specifically criminal domestic violence of a high and aggravated nature, and unlawful conduct toward a child, are felonies and crimes involving moral turpitude or gross immorality. Mr. Day's alleged conduct is in violation of the EMS Act and Regulation 61-7. The Department found that Mr. Day's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department further determined that a clear and present danger would exist to the public health, safety, and welfare if Mr. Day's EMT certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Day's EMT certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed July 28, 2016. The Department will continue to monitor the investigation.

Prior Sanctions: None.

5. Eric Charles Peterson (EMT)

Investigation: On July 22, 2016, the Department was notified of an update to Mr. Peterson's criminal background history. Upon notification, the Department initiated an investigation into this matter. The Department discovered that Mr. Peterson was arrested in Greenville County on July 22, 2016, and charged with criminal sexual conduct in the third degree.

Violations: The charge against Mr. Peterson, specifically criminal sexual conduct in the third degree, is a felony and crime involving moral turpitude or gross immorality. Mr. Peterson's alleged conduct is in violation of the EMS Act and Regulation 61-7. The Department found that Mr. Peterson's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department further determined that a clear and present danger would exist to the public health, safety, and welfare if Mr. Peterson's EMT certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Peterson's EMT certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed August 4, 2016. The Department will continue to monitor the investigation.

Prior Sanctions: None.

6. Frederick Harrison Towe (Paramedic)

Investigation: On July 27, 2016, the Department was notified of Mr. Towe's arrest by the South Carolina Law Enforcement Division. Upon notification, the Department initiated an investigation into the matter.

The Department discovered that Mr. Towe was arrested on July 26, 2016, and charged with criminal sexual conduct with a minor in the second degree, and incest.

Violations: The charges against Mr. Towe, specifically criminal sexual conduct with a minor in the second degree, and incest, are felonies and crimes involving moral turpitude or gross immorality. Mr. Towe's alleged conduct is in violation of the EMS Act and Regulation 61-7. The Department found that Mr. Towe's arrest demonstrated a capacity for inappropriate and criminal behavior towards individuals placed within his trust. The Department further determined that a clear and present danger would exist to the public health, safety, and welfare if Mr. Towe's Paramedic certificate was not immediately suspended pending further investigation.

Enforcement Action: Mr. Towe's Paramedic certificate was immediately suspended on an emergency basis pursuant to the Emergency Suspension Order executed August 4, 2016. The Department will continue to monitor the investigation.

Prior Sanctions: None.